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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NORMAN M. BELLI,)	
)	
Plaintiff,)	Case No: 2:13-cv-01839-GMN-NJK
)	
v.)	
)	
PENNY PRITZLER, Secretary, United)	
States Department of Commerce,)	
)	
Defendant.)	

MOTION TO EXTEND DISCOVERY DEADLINE
(First Request)

Pursuant to Local Rule 26-4, and this Court's June 10, 2015 scheduling order, Federal Defendant, Penny Pritzler, Secretary, United States Department of Commerce ("Federal Defendant") respectfully requests that this court extend the discovery deadline for sixty (60) days for the reasons and as requested herein. For the reasons set forth below, good cause exists to extend the discovery deadline.

In the parties' previous status report, Plaintiff mentioned his current health condition and his pending status on a waiting list for a kidney transplant. In the time since then, Plaintiff has received his

1 kidney transplant. As expected, this procedure and the issues surrounding it are very serious and have
 2 occupied much of Plaintiff's time and energy. Therefore, Plaintiff's deposition has not yet been taken.
 3 It is for this primary purpose that this extension is sought.

4 **1. Status Report.** This request is not made more than twenty one (21) days prior to the
 5 current discovery deadline, which is today, November 5, 2015, however, there is good cause to grant
 6 the extension based on the discovery needs herein, Plaintiff's health condition, the possibility of
 7 settlement in the interim, and the minimal amount of discovery remaining. There has been no neglect
 8 and if there were it is excusable. *See* LR 26-4.

9 **2. Status/ Discovery Completed.** The parties held an initial discovery conference
 10 pursuant to Fed. R. Civ. P. 26(f). Initial disclosures and supplemental disclosures have been made by
 11 the parties pursuant to Fed. R. Civ. P. 26(a)(1)(C). Plaintiff has issued written discovery and responses
 12 have been sent.

13 **3. Discovery Remaining.** Federal Defendant simply needs to conduct Plaintiff's
 14 deposition and issue a minimal amount of written discovery. This extension will allow Plaintiff's
 15 deposition to be taken at Plaintiff's convenience and in a manner that will be most comfortable for the
 16 Plaintiff.

17 **4. Additional Reasons for Extension.** This extension will allow the parties to pursue
 18 settlement negotiations in an effort to save the parties and the Court time and resources.

19 **5. Revised Discovery Schedule.** Federal Defendant proposes the following revised
 20 discovery plan and asks that the Court adopt it as the revised scheduling order in this case.

21 **A. Discovery Cut-Off Date.** The parties respectfully request that the discovery
 22 cut-off be extended until January 7, 2016.

23 **B. Dispositive Motions.** The deadline for filing dispositive motions shall be thirty
 24 (30) days after the close of discovery: February 5, 2016.

25 **C. Pretrial Order.** The Joint Pretrial Order referenced in LR 26-1(e)(5) shall be
 26 filed no later than thirty (30) days after the date set for filing dispositive motions: March 4, 2016.

1 However, in the event that dispositive motions are filed, the date for filing a Joint Pretrial Order shall
2 be suspended until thirty (30) days after a decision is rendered by the Court regarding the dispositive
3 motions, or upon further order of the Court.

4 WHEREFORE, for the above reasons, Federal Defendant respectfully requests the instant
5 Motion extending the discovery deadline for sixty (60) days, until January 7, 2016, be granted.

6 Respectfully submitted this 5th day of November 2015.

7 DANIEL G. BOGDEN
8 United States Attorney

9 /s/ Justin E. Pingel
JUSTIN E. PINGEL

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12
13 IT IS SO ORDERED:

14
15 
16 ~~UNITED STATES DISTRICT JUDGE~~
UNITED STATES MAGISTRATE JUDGE

17 DATED: November 6, 2015
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PROOF OF SERVICE

I, Justin E. Pingel, AUSA, certify that the following individual was served with the **MOTION TO EXTEND DISCOVERY DEADLINE** on this date and by the below identified method of service:

U.S. Mail:

Norman M. Belli
6868 Sky Pointe Drive, Unit 1141
Las Vegas, Nevada 89131

Dated this 5th day of November 2015.

/s/ Justin E. Pingel
JUSTIN E. PINGEL
Assistant United States Attorney